

Exhibit A

Kenneth Levine

From: Rachel Wainer Apter
Sent: Wednesday, September 12, 2018 10:58 AM
To: Nina Perales; Disher, Todd
Cc: Robins, Jeffrey (CIV); Hu, Daniel (USATXS); Jeremy Hollander; Kenneth Levine; Celina Moreno; Alejandra Avila; Denise M. Hulett; Biggs, Adam; Bitter, Adam; Starr, Brantley; Douglas.Hallward-Driemeier@ropesgray.com; Emerson Siegle
Subject: RE: Texas v. USA - Motion to Lift Stay

Todd,
New Jersey does not take a position on the motion.

Best,
Rachel

Rachel Wainer Apter
Counsel to the Attorney General

Office of the Attorney General
Richard J. Hughes Justice Complex
25 Market Street, 8th Floor, West Wing
Trenton, New Jersey 08625-0080
Desk: (609) 376-2702 | Cell: (609) 331-6401
Rachel.Apter@njoag.gov

From: Nina Perales [<mailto:nperales@MALDEF.org>]
Sent: Wednesday, September 12, 2018 10:56 AM
To: Disher, Todd
Cc: Robins, Jeffrey (CIV); Rachel Wainer Apter; Hu, Daniel (USATXS); Jeremy Hollander; Kenneth Levine; Celina Moreno; Alejandra Avila; Denise M. Hulett; Biggs, Adam; Bitter, Adam; Starr, Brantley; Douglas.Hallward-Driemeier@ropesgray.com; Emerson Siegle
Subject: [EXTERNAL] Re: Texas v. USA - Motion to Lift Stay

Todd,

Because the court's stay will lift automatically in the near future, we believe a motion is unnecessary and therefore oppose. Thank you,

Sent from my iPhone

On Sep 12, 2018, at 7:55 AM, Disher, Todd <Todd.Disher@oag.texas.gov> wrote:

Nina,

We currently do not intend to appeal the ruling on the PI. That is why we are asking Judge Hanen to lift the stay so we can proceed in his Court.

Todd

Todd Lawrence Disher

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Office of the Attorney General of Texas
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(512) 936-2266
Todd.Disher@oag.texas.gov

From: Nina Perales [<mailto:nperales@MALDEF.org>]

Sent: Tuesday, September 11, 2018 10:52 PM

To: Disher, Todd <Todd.Disher@oag.texas.gov>

Cc: Robins, Jeffrey (CIV) <Jeffrey.Robins@usdoj.gov>; Rachel Wainer Apter <Rachel.Apter@njoag.gov>; Hu, Daniel (USATXS) <Daniel.Hu@usdoj.gov>; Jeremy Hollander <Jeremy.Hollander@law.njoag.gov>; Kenneth Levine <Kenneth.Levine@law.njoag.gov>; Celina Moreno <cmoreno@MALDEF.org>; Alejandra Avila <Aavila@MALDEF.org>; Denise M. Hulett <Dhulett@MALDEF.org>; Biggs, Adam <Adam.Biggs@oag.texas.gov>; Bitter, Adam <Adam.Bitter@oag.texas.gov>; Starr, Brantley <Brantley.Starr@oag.texas.gov>; Douglas.Hallward-Driemeier@ropesgray.com; Emerson Siegle <Emerson.Siegle@ropesgray.com>

Subject: Re: Texas v. USA - Motion to Lift Stay

Todd,

Would you be able to clarify your statement that plaintiffs do not “presently” intend to appeal the ruling on the motion for PI? We understand that plaintiffs have a longer period in which to file an appeal under section 1292(a). Are you representing that Plaintiffs will not appeal the 8/31 PI order?

Thank you for any clarification you can provide, and adding our co-counsel at Ropes.

Sent from my iPhone

On Sep 11, 2018, at 11:31 AM, Disher, Todd <Todd.Disher@oag.texas.gov> wrote:

Counsel,

We intend to file a motion to lift the stay and request a status conference with Judge Hanen at the Court’s earliest convenience, as Plaintiff States do not presently intend to appeal the ruling on our motion for a preliminary injunction. Please let me know whether you oppose such relief by 10:00 a.m. Central tomorrow (Wednesday).

Thank you,

Todd

Todd Lawrence Disher

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